

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:11-00018

BRITTANY DIANN KING

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On September 8, 2015, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, Brittany Diann King, appeared in person and by her counsel, George H. Lancaster, Jr., Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Joseph Black. The defendant commenced a thirty-two month term of supervised release in this action on October 31, 2014, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on August 22, 2014.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the state and local crime of shoplifting on or about May 29, 2015, as evidenced by her admission to the probation officer on June 1, 2015; (2) the defendant failed to abide by the special condition that she spend a period of six months in a community confinement center inasmuch as she entered Dismas Charities on July 6, 2015, and absconded the program on July 21, 2015; (3) the defendant failed to report to the probation officer as instructed on July 21 and August 5, 2015; (4) the defendant failed to notify the probation officer within 72 hours of being questioned by law enforcement on April 3, 2015, regarding a domestic dispute inasmuch as she did not admit the contact to the probation officer until April 10, 2015; (5) the defendant failed to pay the \$100 special assessment within the time and as directed by the court inasmuch as a payment has not been made since March 2013 and a \$55 balance remains owing; and (6) the defendant failed to attend substance abuse counseling sessions as instructed in May, June and July 2015; all as

admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

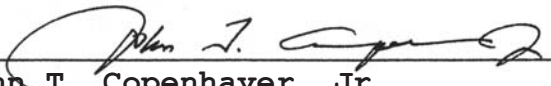
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of THREE (3) MONTHS, to be followed by a term of twenty-nine (29) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime and

the special condition that she participate in drug abuse counseling and treatment as directed by the probation officer. The \$55 special assessment balance is hereby reimposed and shall be paid by the defendant beginning two months after the term of supervised release herein imposed commences at the rate of \$20 for the first two months of payment and \$15 due thereafter, all of which is due on the first day of each month.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: September 25, 2015

  
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John T. Copenhaver, Jr.  
United States District Judge